Petition: ESRD Received Regarding Proposed 2008 State Medical Facilities Plan

Attached are:

- 1. Agency Report
- 2. Petition and Comments

AGENCY REPORT

ESRD Petition - Dialysis Services for Transylvania County

Petitioner

Transylvania County Department of Public Health Steven E. Smith, Director Community Services Building 98 East Morgan St. Brevard, NC 28712

Request

The Petition requests an Adjusted Need Determination for a new dialysis facility to be located in Transylvania County.

Background Information

The current dialysis methodology assesses individual "County Need" for each of North Carolina's 100 counties on a semiannual basis. The methodology states, "if a county's...projected station deficit is ten or greater...the county station need determination is the same as the projected...station deficit." However, if "...the projected station deficit is less than ten...the county's...station need determination is zero." (NOTE: This portion of the methodology also references utilization of existing facilities, but those references were excluded in this excerpt because Transylvania County does not have any existing dialysis facilities.)

The threshold of ten stations is taken from a "Basic Principle" of the dialysis methodology, which states, "[n]ew facilities must have a projected need for at least 10 stations (or 32 patients at 3.2 patients per station) to be cost effective and to assure quality of care." This basic principle was intended to assure that new facilities would have a sufficient number of patients to establish quality services and to be financially viable.

Analysis/Implications

There are currently no End Stage Renal Dialysis Facilities located in Transylvania County and the July 2007 Semiannual Dialysis Report (SDR) projects a need for seven stations. Also, according to the July 2007 SDR there were 24 dialysis patients residing in Transylvania County as of 12.31.2006 and the Five Year Average Annual Change Rate for the Transylvania County dialysis population was ±3.0%. Additionally, the Petitioner asserts that there are families in Transylvania County who would relocate a loved one receiving dialysis treatment to a local nursing home if there were a dialysis facility in Transylvania County.

Due to the region's mountainous terrain, dialysis patients residing in Transylvania County face unique challenges traveling to and from treatment. To attest to the travel difficulties encountered by Transylvania County dialysis patients, the Petitioner has provided letters of support from patients, family members and community leaders from Transylvania County including expressions of concern about traveling hazardous roads in

adverse weather and about long-commutes for medically-fragile patients. Given that most dialysis patients must have treatment three times a week, travel to and from treatment is a critical factor for dialysis patients. In the past, the State Health Coordinating Council has recognized the unique needs of dialysis patients residing in mountainous areas and has responded favorably to Adjusted Need Determination Petitions from the counties shown below:

- McDowell County -- allowed development of a nine-station dialysis facility.
- Cherokee, Clay and Graham Counties combined into one service area and allowed development of a ten-station dialysis facility.
- Avery, Mitchell, and Yancey Counties -- combined into one service area and allowed development of a nine-stations dialysis facility.

Additionally, the Agency notes receipt of a letter from Fresenius Medical Care, an ESRD services provider, supportive of an Adjusted Need Determination for an eight-station facility in Transylvania County.

Agency Recommendation

Based on current Transylvania County data, anticipated growth in the number of dialysis patients, and support from Fresenius Medical Care, the Agency recommends approval of an Adjusted Need Determination for an eight-station dialysis facility to be located in Transylvania County.

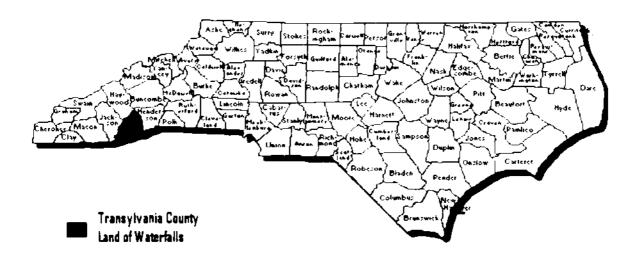
Petition

Medical Facilities
Planning Section



Transylvania County Petition for Adjustment to Need Determination - Proposed 2008 State Medical Facilities Plan -

Method for Projecting New Dialysis Station Need (End-Stage Renal Disease Dialysis Facilities)



Submitted by: Transylvania County Department of Public Health on behalf of

Transylvania County

Submitted on: July 13, 2007

Submitted at: Public Hearing - Proposed 2008 State Medical Facilities Plan

Mountain Area Health Education Center (MAHEC)

501 Biltmore Avenue

Second Floor - Classroom #1

Asheville, NC

Submitted to: Medical Facilities Planning Section

Division of Facility Services/NC Dept. of Health and Human Services

Mr. Floyd Cogley

• Mr. Tom Elkins

Ms. Victoria McClanahan

Long-Term and Behavioral Health Committee

NC State Health Coordinating Council

Dr. Thomas J. Pulliam

Mr. Jerry Parks

Mr. Donald Beaver

Mr. Ted Griffin

Mr. Ken Hodges

Ms. Frances Mauney

. Mr. Timothy Rogers

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Petitioner Contact Information

Steven E. Smith, Director - Transylvania County Department of Public Health Community Services Building 98 East Morgan Street Brevard, NC 28712

(828) 884-3135 Steve.smith@transylvaniacounty.org

Statement of the requested adjustment

Transylvania County finds the current need determination methodology (and its application) for <u>end-stage renal disease dialysis facilities</u> as outlined in Chapter 14 of the *Proposed 2008 State Medical Facilities Plan* to be inappropriate. The current methodology and its application to Transylvania County do not support the basic principles underlying the development of the *Proposed 2008 State Medical Facilities Plan* or the basic principles underlying the projection of need for additional dialysis stations (Chapter 14).

More importantly, the current process fails to adequately gauge the extent and degree of need experienced by current Transylvania County dialysis patients. We maintain that reasonable consideration of the extreme travel distances and travel time currently endured by Transylvania County dialysis patients in addition to other factors warrants an adjustment to the *Proposed 2008 State Medical Facilities Plan* to support establishment of a local dialysis facility in Transylvania County.

We are requesting the endorsement and approval of the North Carolina State Health Coordinating Council for this specific adjustment to the *Proposed 2008 State Medical Facilities Plan* so that Transylvania County can proceed with a Certificate of Need application to establish an end-stage renal disease dialysis facility in the immediate future.

Reasons for the requested adjustment

Inappropriate/inadequate methodology & application

The current need determinations process for dialysis facilities is overly focused on jurisdictions (without a dialysis facility) achieving 32 dialysis patients (projected need) in order to warrant consideration for establishment of a local dialysis facility. We do understand the preference for that level of need and operation as it relates to cost effectiveness. While 10 stations (3.2 patients/station) operating at 80% utilization may be the minimum goal for dialysis facilities, this standard is clearly not being met for a significant percentage of existing facilities. The *July 2007 NC Semiannual Dialysis Report* stipulates that 48% of the certified facilities (71 of 149) are operating below this threshold.

Ten (10) existing dialysis facilities have a lower patients per station utilization rate than Transylvania County would have with its current projection of 12/31/2007 in-center patients (would yield a patients per station utilization rate of 2.16 if we had a dialysis facility today).

Requiring Transylvania County to achieve a projected need which exceeds the current utilization rate for 48% of the state's certified facilities is not equitable.

The second issue is that a regional context is not considered or applied to the current needs determination process for expansion of existing facilities in relation to decisions about establishment of new facilities.

*Please reference the Regional Map on the next page.

It is evident that there are projected station surpluses in every county adjacent to Transylvania County (*July 2007 NC Semiannual Dialysis Report*). Some of these projected surpluses are extreme (Jackson County – 11 stations, Buncombe County – 18 stations). Henderson County shows a projected surplus of 5 stations and it is our understanding that they just expanded by 2 stations in January of this year. It is our contention that a regional zip code based analysis would demonstrate that a dialysis facility located in Transylvania County would dramatically improve access to our local dialysis patients and would better serve dialysis patients in southern Buncombe County and western Henderson County.

Denying Transylvania County the opportunity to establish a local dialysis facility while maintaining extreme station surpluses in adjacent counties is not equitable.

Regional Map of Transylvania County and surrounding counties

Station surpluses as identified in July 2007 NC Semiannual Dialysis Report Total surplus: 36 stations

Facts

Transylvania County has the third highest projected 12/31/2007 In-Center Patients total (21.6) for all dialysis station planning areas without a dialysis facility in their jurisdiction.

Ten (10) existing dialysis facilities have a lower patients per station utilization rate than Transylvania County would have with its current projection of 12/31/2007 in-center patients (would yield a patients per station utilization rate of 2.16).

As of December 31, 2006, only 52% (78 of 149) of the certified facilities were operating at or above 80% utilization (3.2 patients per station or 32 patients for a minimum of 10 stations) – this means that 48% (71 of 149) of the certified facilities operating in NC are functioning below the level required of us to establish a new dialysis facility.

Reasons for the requested adjustment

Inappropriate/inadequate methodology & application (continued)

The third and final issue is the lack of consideration related to local nursing homes. We have defined that nursing homes in Transylvania County decline multiple dialysis patients each year due to the tremendous transportation burden that would be assumed. The *Proposed 2008 State Medical Facilities Plan* fails to consider potential dialysis patient populations that could be established in local nursing homes if a local dialysis facility existed. If you consider the dialysis facility to be the "egg", the current plan takes a chicken-egg approach. Transylvania County maintains that an egg-chicken approach would better serve at risk populations in rural areas of the state. Essentially, the current needs determination process is flawed because it creates artificial barriers for achieving the projected need required to establish a local dialysis facility.

Denying Transylvania County the opportunity to establish a local dialysis facility based solely on projections of in-center patients without consideration of future nursing home populations is not equitable.

Conflicts with Basic Principles

Our petition is based on a number of concerns that are not adequately addressed in the current needs determination process as outlined in Chapter 14 of the *Proposed 2008 State Medical Facilities Plan.* We will now relate those specific concerns to the basic principles underlying the projection of need for additional dialysis stations.

Basic Principle	Conflict
New facilities must have a projected	48% of existing facilities do not meet
need for at least 10 stations	this standard – additional context and
	consideration should be provided for
]	dialysis station planning areas without a
	facility that haven't achieved this
	threshold
End-stage renal disease treatment	As of April 11, 2007, SE Kidney Council,
should be provided in NC such that	Inc. determined that 6 of 25 patients
patients who require renal dialysis are	(24%) were traveling more than 30 miles
able to be served in a facility no farther	to a facility. The mileage range for
than 30 miles from the patients' homes	these 6 patients is 31.1 miles to 65.3
	miles. The average mileage for all 25
	patients is 26.34 miles.

Reasons for the requested adjustment

Conflicts with Basic Principles (continued)

Basic Principle	Conflict
End-stage renal disease treatment should be provided in NC such that patients who require renal dialysis are able to be served in a facility no farther than 30 miles from the patients' homes	Fails to recognize unique travel challenges in Western NC and mountainous regions. Assertion is that 40 minutes travel time should be considered as another measure of access based on the assertion that 30 miles of travel in the Piedmont or Coastal regions of the state would not
	As of April 11, 2007, SE Kidney Council, Inc. determined that 16 of 25 patients (64%) were traveling more than 40 minutes to a facility. The travel time range for these 16 patients is 40 minutes to 107 minutes (1 hour, 47 minutes). The average travel time for all 25 patients is 50.36 minutes.
In areas where it is apparent that patients are currently traveling more than 30 miles for in-center dialysis, favorable consideration should be given to proposed new facilities which would serve patients who are farthest away from existing, operational or approved facilities.	Our petition outlines multiple aspects which attest that this basic principle is not being adequately considered: station surpluses in the region, unnecessary station expansion approvals, lack of regional zip code based analysis relative to expansion requests and areas without facilities and failure to consider travel time in conjunction with travel distance
Services in rural, remote areas	It defies logic that Transylvania County is surrounded by dialysis facilities, all with projected station surpluses and is prevented from obtaining a dialysis facility based on the current needs determination process.

Reasons for the requested adjustment

Statement of adverse effects

The adverse effects relate to the human condition and are defined in several instances in the accompanying letters of support. The greatest adversity is evidenced by the patients enduring the longest travel distances and times. Our hallmark example is the patient traveling more than 65 miles and an hour and 47 minutes (each way), three times a week. The average travel time for all Transylvania County patients as of April 11, 2007 is 50.36 minutes. This travel demand is extreme by any measure and is the core argument of the petition. End-stage renal disease is overwhelming at best, but local citizens are having that circumstance negatively magnified by having to make these extreme commutes three times a week. Several patients have stipulated that they believe the extreme travel demands are exacerbating their condition.

The Department of Public Health has also heard from multiple families who need to relocate a loved one with dialysis needs here, but can't due to the fact that local nursing homes won't consider those individuals based on the significant transportation requirements. Families and loved ones are being separated and in some cases, entire family units are moving out of Transylvania County to accommodate the dialysis needs of a loved one. Support systems including family are crucial to a dialysis patient and the lack of a local facility is creating unreasonable challenges for many families in sustaining that network of support.

In addition, we have already submitted that our terrain and vulnerability to extreme weather conditions have created life threatening situations when travel is suspended for sustained periods of time. Our steep slopes, higher elevations and flood prone zones are particularly susceptible to inclement weather effects.

Statement of alternatives

Based on the challenges and concerns outlined, we see no other reasonable alternative than establishment of a local dialysis facility. Patients are naturally gravitating to the nearest existing facility for dialysis treatment, but the lack of a facility in this jurisdiction is creating unreasonable access barriers for local residents.

Evidence that unnecessary duplication of health resources would not occur

Transylvania County maintains that establishment of a local dialysis facility would not create unnecessary duplication of health resources based on our local need. If due consideration is provided for our current in-center patient projection, nursing home capacity and improved regional access (proximate zip code analysis for southern Buncombe County and western Henderson County), the cumulative result is an overwhelming and apparent need for a local dialysis facility that would improve cost effectiveness, expand health care services to the medically underserved and provide a quality health care service (basic principles identified in the *Proposed 2008 State Medical Facilities Plan*) to Transylvania County and the immediate vicinity.

Based on the information presented in the Regional Map of Transylvania County and surrounding counties (pg. 6), we do believe unnecessary duplication of health resources has occurred, but not in Transylvania County. It is our hope that serious re-evaluation of adjacent county dialysis facility capacity should occur and that the projected station surpluses identified in the July 2007 NC Semiannual Dialysis Report should be considered relative to our petition. The regional context advocated for in this petition will better serve the State of North Carolina and Transylvania County in our mutual pursuit of providing equitable access to quality health care services for all.

<u>Summary</u>

This intent of this petition is to identify specific barriers to establishment of a local dialysis facility based on the current needs determination process outlined in the *Proposed 2008 State Medical Facilities Plan*. The process is challenged in this petition because Transylvania County finds that the methodology and its application are inappropriate and/or inadequate for characterization of our local need based on unique circumstances. The petition follows the basic format outlined in Chapter 2 of the *Proposed 2008 State Medical Facilities Plan*.

Although Transylvania County takes issue with the current needs determination process, it is important that we acknowledge no particular methodology would be perfect or comprehensive for all jurisdictions. It is also evident that circumstances affecting utilization rates for dialysis facilities are dynamic and can't be predicted into the future with any accuracy. That is one of the reasons why we criticize the current needs determination process which places an inordinate focus on achieving 32 in-center dialysis patients (projected need) to be able to proceed with a certificate of need application. Since 48% of existing dialysis facilities in the state are operating below this utilization rate, it is self evident that achieving this threshold is not a reliable indicator that it can be sustained.

Transylvania County's petition clearly outlines a definitive case of need for a local dialysis facility. Extreme travel distances, extreme travel times, segregation of families and the associated hardships placed on patients and their families highlight a dire situation. Many of the letters of support attest to these hardships and challenges. In addition, the regional issues that accompany our petition support a more realistic approach for decisions about dialysis facility expansions and new facilities. Although no perfect model exists, enhanced incorporation of regional factors including station surpluses should be considered as part of the "big picture" for future designations of new facilities.

It is certainly appropriate to conclude our petition by relating our position back to some of the founding legislation for the Certificate of Need process and the associated development of the State Medical Facilities Plan. NCGS 131E-175 has several passages that are relevant to our case including:

"...citizens need assurance of economical and readily available health care"

While the current Certificate of Need process strives to promote cost effectiveness, we maintain that the "cost" to our local dialysis patients is simply too high and is certainly not "readily available". We do not believe that establishment of a

Summary (continued)

dialysis facility in Transylvania County would negatively impact the cost of dialysis care in North Carolina.

• a concern that if left to the market place "...geographical maldistribution of these facilities and services would occur..."

We maintain that geographical maldistribution of facilities has occurred as outlined on the Regional Map on page 6. The projected station surpluses for surrounding counties in our region are extraordinary and due consideration should be given to reallocation of those resources to Transylvania County.

 "that access to health care services and health care facilities is critical to the welfare of rural North Carolinians, and to the continued viability of rural communities, and that the needs of rural North Carolinians should be considered...."

We couldn't agree more. This petition hopes to achieve that very goal. If this mandate is duly considered in conjunction with an objective review of the material contained within this petition, we sincerely believe that our case merits a recommendation from the North Carolina State Health Coordinating Council to adjust the need determination for Transylvania County and to accordingly amend the *Proposed 2008 State Medical Facilities Plan*.

Appreciation

Most importantly, we owe our appreciation to the stalwart dialysis patients in Transylvania County (past and current) and the multiple individuals, professionals and families involved in their daily care and transportation. We also thank the individuals, agency representatives and elected officials that graciously provided letters of support and to the community at large for their support of this petition. We would also like to commend the Medical Facilities Planning Section and the NC State Health Coordinating Council for their time and consideration of this petition and trust they will find this proposal to be a compelling and definitive case of need to establish a local dialysis facility in Transylvania County.

Documents

- April 11, 2007 SE Kidney Council, Inc. Report on Travel Distance and Travel Time of Transylvania County Patients and e-mail
 - * See next two pages

E-mail to Steve Smith, dated April 11,2007, 3:51pm

Your request has been processed and is data is attached. As discussed an invoice for the \$75.00 will be forward to you from our Administrative Department. Please feel free to contact me if there are questions concerning this data.

<<Transylvania Travel Information doc>>

Diana Lucas

Information Management Coordinator Southeastern Kidney Council, Inc. 1000 St. Albans Drive Raleigh, North Carolina 27609 Voice (919) 855-0882 Fax(919) 855-0753 www.esrdnetwork6.org

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Southeastern Kidney Council, Inc. Travel Analysis

Patient's Facility	Travel Time	Distance to Facility (Miles)
Patient A	33	23.4
Patient B	47	22.7
Patient C	33	23.4
Patient D	34	15.5
Patient E	40	19.8
Patient F	52	23.8
Patient G	39	19.2
Patient II	1hr 2 min	31.1
Patient I	34	16.1
Patient J	38	17.8
Patient K	36	16.8
Patient L	46	21.9
Patient M	52	23.8
Patient N	43	21.2
Patient O	1 hr. 11 min	46.9
Patient P	43	21.1
Patient Q	1 hr 47 min	65.3
Patient R	52	23.8
Patient S	43	21.2
Patient T	44	21.2
Patient U	33	23.4
Patient V	1 hr. 9min.	37.1
Patient W	1 hr 28 min.	54.6
Patient X	37	17.3
Patient Y	1 hr 23	51.3

Travel Time for Transylvania County Patients Prepared April 11, 2007

Letters of Support

See attached.

DES HEALTH PLANNING RECEIVED

Medical Facilities Planning Section

Congress of the United States

House of Representatives Washington, OC 20513—3311

July 12, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC, 27699-2714

To Whom It May Concern:

I am writing to express my support for Transylvania County's petition to establish a local dialysis facility.

The petition cites a number of compelling reasons why a new facility is needed in the county. Of the county's 25 current dialysis patients, many are required to travel over 30 miles and one patient over 65 miles each way, three times per week. This creates a significant burden of time and cost for these patients and their families. The mountainous terrain and associated inclement weather can also limit a patient's ability to travel and obtain necessary treatment.

Perhaps most importantly, the county's local nursing home facilities are unable to accept dialysis patients because of the lack of a local facility. Families are therefore forced to relocate loved ones to nursing homes far from home and closer to dialysis facilities. A local facility would greatly reduce these various risks and burdens, while reflecting a higher and more accurate number of Transylvania patients in need of such a facility.

i ask that you give this petition your most thoughtful and serious consideration. If you need additional information, please contact Tom Jones in my district office at 828-252-1651 extension 15.

Thank you very much for your time and attention to this matter. Please do not hesitate to contact me if I may be of assistance as you make your determinations.

Sincerely,

depiher of Congress

Ossina North Carolina



North Carolina General Assembly Senate

SENATOR JOHN J. SNOW, JR. BOYN DISTRICT

OFFICE:

2111 LEGISLATIVE BUILDING

TE W. JOHER STREET RALSIGH, NC 27601-2808

(410) 733-7978 (919) 754-3348 FAR

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DISTRICT. SOTH CHEROKEE JACKSON

MACON

GRAHAM

SWAIN MAYWOOD TRANSTEVANIA

July 11, 2007

Dr. Dan Myers Chairman Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

RE: Transylvania County Dialysis Facility

Dear Dr. Myers,

I am writing you a letter in support of Transylvania County's petition for an End-State Renal Disease Dialysis Facility. In order to best help the citizens of North Carolina, I believe it is imperative that Transylvania County's petition should be approved. I further believe the stipulations placed upon Transylvania County go beyond reasonable.

As of the beginning of the year, only 78 of 149 certified facilities were operating at or above 80% utilization. I do not think it is fair to require Transylvania County to operate at a level of utilization that surpasses 48% of the certified facilities.

After looking at the figures. I have also noticed that many patients who would be served by this facility are traveling either close to or above an hour each way. This is an unfair burden on the rural at risk populations in North Carolina. As of April of this year, 24%

COMMITTEES

CO-CHAIR

APPROPRIATIONS ON JUSTICE AND PUBLIC SAFETY

-

ADRICULTURE/ENVIRONMENT/NATURAL RESOURCES APPROPRIATIONS/BASE SUPGET

EQUCATION/PUBLIC INSTRUCTION

JUDICIARY II (CRIMINAL)

MENTAL HEALTH/YOUTH BERVICES

TRANSPORTATION JOINT BELSCT COMMITTEE ON EMEAGENCY PREPAREDNESS

AND DIRASTER MANAGEMENT RECOVERY

of the patients of the SE Kidney Council Inc. were traveling more than 30 miles for treatment with many traveling over an hour one way.

Likewise because of the areas vulnerability to extreme weather and terrain, many of these patients would be placed in a perilous situation in the event that travel is suspended for any period of time. If approved, this facility would reduce much of the life threatening ramifications the weather and terrain present. We must do more for the rural citizens of North Carolina.

Please support Transylvania County's petition for an End-State Renal Disease Dialysis Facility. I thank you for your time on this matter.

Sincerely,

Sen John I Snow Jr.



North Carolina General Assembly House of Representatives

SUL DE SON

COMMITTEES

ENERGY & ENERGY EFFICIENT (C. V.) ECHAIR
ENANGE
HEACTH
ISSURAN E
JUDITARY III
STATE PERSONNE
WAS & MEASS

REPRENENTATIVE TROOF WALENE 1937 DIGITAL TO TRANSLEYANIA PICK TO MENCHEN N

SO WE WAS STREET #1015

STATE LESSON ATIVE HOLDING RAILESTAN, NO. 27601-1096

Raijeton, NC 27601-1Q sq. 919-715-4466

FMA: trudiw@ncleg.net

erim) 147 Bidot wordd Plare Betared, NC - 2871 i' 9561

Percent 820 (883-3790)

June 30, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Hello.

1 strongly support Transylvania County's petition to establish a local dialysis facility in our county.

As the State House Representative for Transylvania County and a resident of Transylvania County, I am greatly concerned about access to a dialysis facility for patients who must cope with our unique mountainous geography and associated travel challenges. Our county is located a long distance from the nearest interstate increasing travel time. When combined with inclement weather (ice, snow, floods) this creates life threatening conditions for vulnerable dialysis patients.

Local nursing homes are not able to consider caring for dialysis patients due to the burden of transporting them to out-of-county facilities. This requires families to be separated from their loved ones.

I am very encouraged about a proposed dialysis facility in Transylvania County and support the increased access of quality medical service it will bring. My constituents, area health care providers, and I enthusiastically and fully support this petition.

Thank you for your consideration.

Sincerely, Trudi Walend

Trudi Walend



To Whom it may concerni

Having a Dialysis Center in Brevard or Transylvania County would certainly be a great help for my family.

My husband has been a kidney dialysis petient for four years. Having to drive to Hendersonville and track three times a week, in all kinds of weather, is not a pleasant task.

Since the price of gasoline has vison so drastically, you can imagine the extra hardship that causes—

We would be very grateful for your consideration in yetting a dialysis center here—

Sincerely yours,
Wilma Thornhill
V. C. Box 218/
Boward, NC 287/2



Transylvania County Department of Public Health

July 10, 2007

Medical Facilities Planning Section
Division of Facility Services — NC Department of Health and Human Services
2714 Mail Service Center
Raleigh, NC 27699-2714

Re: Letter of Support for Transylvania County - Petition to Establish Local Dialysis Facility

To The North Carolina State Health Coordinating Council:

On behalf of the Transylvania County Board of Health, I would like to provide our endorsement of the petition to adjust the need determination incorporated within the *Proposed 2008 State Medical Pacilities Plan* so that Transylvania County may proceed with a Certificate of Need application to establish a local dialysis facility. This is a public health issue of great significance for our community and it is imperative that our citizens obtain reasonable access to this vital health care service.

The board has discussed the basis of the petition on several occasions and shares the same concerns about our present circumstances including:

- Inequity of having to achieve a projected need which exceeds the utilization rate of 48% of the
 existing dialysis facilities in order to proceed with a Certificate of Need application
- Inequity of substantial station surpluses in surrounding counties in the region and not having resources reallocated here
- Adverse effects on current dialysis patients and their families including exceptional travel distances and times and the segregation of families due to the inability of nursing homes to accept dialysis patients without a local facility

These circumstances reflect the fact that due consideration has not been provided in the current need determination process relative to the welfare of rural Transylvania County residents. We have a right to reasonable access to health care services and urge you to approve a revised determination of need for a dialysis facility in order for this critical piece of health care infrastructure to be established in Transylvania County. Our mission is to protect and promote public health in Transylvania County and the board sincerely believes that a local dialysis facility is needed to accomplish that objective.

Thank you in advance for your consideration of our petition. Please feel free to contact me if you have any questions about this correspondence.

Sincerely,

J. Hooper Williams, OD Chairperson – Transylvania County Board of Health

ce: Transylvania County Board of Health

To Whom It May Concern:

I understand that there is consideration being given to expanding the dialysis center in Henderson County. I truly believe that expansion is necessary but I would suggest that it be considered for Transylvania County. Currently there is not a dialysis center in Transylvania County and this causes great hardship for the residents of this county needing this service.

As a nursing home administrator, I am forced to decline admitting patients needing our services if they also require dialysis. I am unable to provide transportation to and from Henderson or Buncombe County for dialysis. There is not a non-emergency transportation agency in Brevard making it even more difficult. If one of my patients goes to the hospital and ends up needing dialysis, I am unable to re-admit them.

While this is a problem for the patient, it is also of great concern to the family members involved. I don't think anyone wants to bave their elderly mother of father in a nursing facility 25-35 miles away. I think it is a shame that many elderly residents of Transylvania County must be cared for in other counties due to the lack of this service.

I would urge you to please give this some consideration.

Sincerely,

Sue Harris Robinson

Administrator

Brian Center Health and Rehabilitation/Brevard

Transylvania County Schools



Career-Technical Education
Transportation Services
Southern Association of Colleges and Schools

747 Country Club Road Brevard, NC 28712

Ph: 828-884-4188 - Fax: 828-885-7359

June 28, 2007

To Whom It May Concern:

I am writing out of concern for dialysis patients in our community. I understand that a public hearing is to be held on July 13, 2007. At this hearing Transylvania County will petition the North Carolina State Health Coordinating Council for a local dialysis facility to be located and built in the county. I ask that you please honor this request.

Certainly, numbers used for validation normally suggest that a county should have at least 32 patients in order to qualify for a new dialysis facility. Transylvania County currently has 25 patients. However, this number has steadily increased from a count of 19 in 2003. Unfortunately, as our population here continues to age and with a continual growth in both general population and the number of retirees locating here, that number will most assuredly increase.

Although numbers are the rule of discretion, I encourage the Council to place a face and a family with each and every one of these 'numbers' needing treatment. Many of our current dialysis patients commute over an hour and twenty minutes roundtrip, three times a week for services. Several have even longer commutes involving over 60 miles roundtrip. Transylvania County does not have the convenience of flat land and straight highways. Our topography includes elevations that range from under 1300 feet above sea level to over 6000 feet. The headwaters of the French Broad River are located in the county along with an abundance of rivers, creeks and streams, that while beautiful and appreciated, provide a backdrop for one of the wettest counties east of the Mississippi. Roads are routed around many natural obstacles causing greater travel challenges.

There are no major highways connecting the county to larger metropolitan areas and the nearest interstate is approximately 20 miles from our largest town. Transylvania County is also home to some of the most diverse weather in the mountains. These conditions over the years have created life threatening situations for vulnerable dialysis patients due to restricted travel. Statistical information current as of June 30, 2006 show that only 52% of certified facilities in North Carolina were operating at or above 80% utilization. This seems to indicate that 48% of the certified facilities already operating in NC are functioning below the level required of us to establish a new dialysis facility.

But it is the faces of those directly affected that I must return to. Cold statistics and numbers can never tell the stories of real hardship or disruption of lives. Dialysis patients here in Transylvania County must endure the hardship of a long commute to Hendersonville three times a week every week. It is commonplace for the entire process

to take well over seven to eight hours per day, and this is assuming that all other eonditions, including traffic and safety are conducive.

As a concerned citizen, public servant, veteran school educator, and friend and neighbor to those suffering from kidney diseases, I ask that serious consideration be given for a Dialysis facility for Transylvania County.

Thank you for your time and consideration.

Sincerely,

Jeff McDaris

Jeff McDaris, Ed.D.
Director – Career-Technical Education
Director – Transportation Services
AdvancEd Accreditation Liaison
Transylvania County Schools

Member – Mountain Area Workforce Development Board Trustee – Blue Ridge Community College BOARD OF COMMISSIONERS Jason Chappell Chairman keis in Philips, Asic Chairman Weiser David Guise David Hopsed Lynn Bullock



COUNTY MANAGER Arthur C. Wilson, Jr 825-884-7100 Eav F78-884-7119 878-884-7117 21 East Main Street Brevard, NC 28712

Transylvania County

June 27, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Ref: Letter of Support for Transylvania County-Petition to establish Local Dialysis Facility

Dear Sirs:

As Chairman of the Board of Commissioners of Transylvania County I hereby request that you consider allowing a local dialysis treatment facility to be located in Transylvania County. Currently six of the twenty five patients from Transylvania County are traveling more than thirty miles each way to a dialysis facility. Thirty miles is listed as the preferred maximum traveling distance for dialysis patients in the State Medical Facilities Plan. One patient travels more than sixty fives miles each way. These trips are made by these patients three times a week. Sixteen of the twenty five patients from Transylvania County are traveling more than forty minutes each way to a dialysis facility. Considering the geography of our county where one can go from a level of 2,350 feet to a height of 6,000 feet presents serious challenges to our residents to get to the nearest dialysis facility in an adequate time frame especially during inclement weather such as snow, ice and floods.

Local nursing home facilities are not able to consider dialysis patients at this time due to the enormous burden of transporting patients to out of county facilities. This separates families and creates barriers for other families that want to relocate loved ones to local nursing homes. As of June 30, 2006, only 52% of certified facilities in North Carolina were operating at or above 80% utilization. This means that 48% of the certified facilities operating in NC are functioning below the level required of us to establish a new dialysis facility in our county.

Transylvania County continues to be rated as one of the hot spots for retirement in the United States. With an aging community we need to have a dialysis facility located in our county.

Sincerely,

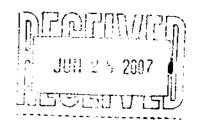
for I age!

Jason R. Chappell, Chairman Board of County Commissioners Ce: Members, Board of Commissioners

County Manager Health Director

File

June 27, 2007



Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

LETTER OF SUPPORT FOR TRANSYLVANIA COUNTY-PETITION TO ESTABLISH LOCAL DIALYSIS FACILITY

To Whom It May Concern:

I am writing in support of the establishment of a local dialysis center in Transylvania County.

Statistics show that 6 of the current 25 dialysis patients in our County are traveling more than 30 miles each way to a dialysis facility. 16 patients travel more than 40 miles each way. One patient travels more than 65 miles each way. We must remember that these patients have to endure this commute 3 times a week.

->minutes

Local nursing homes are currently unable to consider dialysis patients because they do not have enough staff or adequate transportation to take patients to out-of-county centers. Additionally, inclement weather, including snow, ice, flooding, has created life-threatening situations for dialysis patients because they simply cannot navigate dangerous roads and driving conditions.

I am aware that 48% of the certified facilities operating in NC are functioning below the level required of us to establish a new dialysis facility. Considering the aging population of Transylvania County, I feel certain that the numbers of people requiring dialysis will grow rapidly.

I am passionate in my support. My mother-in-law had to undergo the inconvenience of traveling to dialysis centers in Henderson and Bumcombe Counties for more than 4 years before her death. There were times when she was so weak and ill that she had to lie down in the car. You can imagine the emotional burden our family felt to see her suffer. At the same time we were caring for our father with dementia and immobility. What a blessing it would have been to be able to go to a local center.

Please carefully evaluate the immediate need to establish a center in Transylvania County on behalf of the patients and their families.

Thank you,

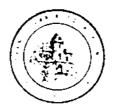
Phyllis Blunt, Board Member

Bhyller Blunt

Transylvania Christian Ministry/Sharing House

Brevard, NC

BOARD OF COMMISSIONERS Jason Chappell, Chairman Kelvin Phillips, Vice Chairman W. David Guice Darvle Hoysed Lvin Bullock



COUNTY MANAGER Arthur C. Wilson, Jr. 828-884-3109 Fax 828-884-3119 828-884-3107 21 East Main Street Brevard, SC 28712

Transylvania County

June 29, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Ref: Letter of Support for Transylvania County-Petition to establish Local Dialysis Facility

Dear Sirs:

As the County Manager of Transylvania County I hereby request that you consider allowing a local dialysis treatment facility to be located in Transylvania County. Currently six of the twenty five patients from Transylvania County are traveling more than thirty miles each way to a dialysis facility. Thirty miles is listed as the preferred maximum traveling distance for dialysis patients in the State Medical Facilities Plan. One patient travels more than sixty fives miles each way. These trips are made by these patients three times a week. Sixteen of the twenty five patients from Transylvania County are traveling more than forty minutes each way to a dialysis facility, that is, if it is a good weather day. Being located in the mountains presents problems with snow, ice, and floods since we are on the headwaters of the French Broad River.

Local nursing home facilities are not able to consider dialysis patients at this time due to the enormous burden of transporting patients to out of county facilities. This separates families and creates barriers for other families that want to relocate loved ones to local nursing homes. As of June 30, 2006, only 52% of certified facilities in North Carolina were operating at or above 80% utilization. This means that 48% of the certified facilities operating in NC are functioning below the level required of us to establish a new dialysis facility in our county.

Transylvania County continues to be rated as one of the best locations for retirement in the United States. With an aging community we need to have a dialysis facility located in our county.

Sincerely,

Arthur C. Wilson, Jr.

County Manager

Cc: Health Director

1016(6)(111/17[7] 3 JUL 62 2007

LETTER OF SUPPORT FOR TRANSYLVANIA COUNTY PETITION TO STABLISH LOCAL DIALYSIS FACILITY

29 June 2007

Mr. Steve Smith Transylvania County Dept, of Public Health 98 East Morgan St. Brevard, NC 28712

Mr. Smith,

I would like to add my support to your petition for a dialysis facility in Transylvania County. Currently, I have a 50-year-old brother living in California with our 81-year-old mother. My brother has been receiving dialysis three times a week for about four years, and my mother is his only caregiver. This situation is no longer tenable, as both of their health continues to deteriorate.

My mother has been visiting me for the last week, and during that time we have explored alternative living arrangements in this area. Because of my brother's need for dialysis, and the requirement that he be transported out of the county for that treatment, we have not been able to make plans to have our family living near each other.

Please consider the petition favorably, as having a dialysis facility here would allow my family and me (and others, I am sure) to keep our loved ones close to home in their time of need.

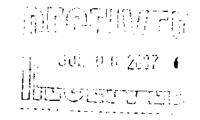
Kurbie Whitchead

109 Rocky Hill Overlook

Brevard, NC 28712

(828)883-8153

1291 Cherrywood Lane Pisgah Forest, NC 28768



July 2, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Gentlemen.

I am writing in support of locating a local dialysis facility in Transylvania County.

Reasons for such a facility are:

- 6 of the current 25 patients from Transylvania County are traveling more than 30 miles (each way) to a dialysis facility (*30 miles is listed as the preferred maximum traveling distance for dialysis patients in the State Medical Facilities Plan) one patient travels more than 65 miles each way (remember patients have to endure this commute 3 times a week)
- 16 of the current 25 patients from Transylvania County are traveling more than 40 minutes (each way) to a dialysis facility (*a preferred maximum travel time is not listed in the State Medical Facilities Plan we believe that approach fails to consider the unique geography of mountainous counties and associated travel challenges)
- Local nursing home facilities are not able to consider dialysis patients at this time due to the enormous burden of transporting patients to out of county facilities—this separates families and creates harriers for other families that want to relocate loved ones to local nursing homes
- Inclement weather (snow, ice, floods) in Transylvania County has created life threatening situations for vulnerable dialysis patients due to restricted travel
- As of June 30, 2006, only 52% (77 certified facilities out of 147) were operating at or above 80% utilization (3.2 patients per station or 32 patients for a minimum of 10 stations) this means that 48% of the certified facilities operating in NC are functioning below the level required of us to establish a new dialysis facility

Please consider this request at you July 13th hearing.

Sincerely,

Bruce F. Semans Board of Directors

Transylvania County Volunteers in Medicine

Bruce Frances

Letter of Support for Transylvania County—Petition to Establish Local Dialysis Facility

576 White Squirrel Lane Brevard, NC 28712 July 2, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Dear Sir/Madam:

I would like to add my name to the growing list of petitioners asking you to consider the need in Transylvania County for a dialysis facility. I am a retired college professor now engaged in extensive volunteer work with non-profits in our county and am presently Vice President of the Board of Transylvania Christian Ministry, our county's only comprehensive food pantry, clothing, and crisis management facility for the poor, known locally as Sharing House.

In my work with Sharing House I have become aware of the growing number of dialysis patients here—presently at 25—who travel sometimes great distances to Henderson County for dialysis three times a week. We have mountainous roads, snowy and icy winter weather, and high gasoline prices to further complicate what is at best an exhausting schedule for most families.

Our number of dialysis patients will, no doubt, vary. But we are a retirement area with an increasing number of aged eitizens. I understand that as of June 30, 2006, only 52% of North Carolina dialysis facilities were operating at or above 80% utilization (32 patients at 10 stations). Therefore, I ask you to reconsider the qualifications of our county.

I had very personal involvement with this distance problem when a friend from church required dialysis several years ago. A team of drivers was recruited from among church members, including my husband who regularly drove to the Henderson County facility for over a year. This was very, very stressful for the Johnson family.

Thank you for considering my letter as you evaluate the need for a dialysis facility in Transylvania County.

Yours truly, M. Harper

Dr. Marcia M. Harper, Associate Professor of English, Retired

George Robert McCormick GET STORE GT LEST 154 Creekstone Drive Brevard, NC 28712 July 3,2007

"Letter of Support for Transylvania County-Petition to Establish Local Dialysis Facility"

To Whom It May Concem;

I would like to have access to a local dialysis facility in Transylvania County, North Carolina. Having to travel to Hendersonville, North Carolina three times a week is very stressful and quite time consuming. My wife and I live outside the city limits of Brevard, North Carolina and need to Begin getting ready for the trip before 2:00 p.m.. I meet the County Transportation van just after That time for the trip to Hendersonville. Arriving at the center in Hendersonville just before 3:30 p.m., I am then prepared for a four hour treatment on the machine. Yesterday, July 2nd, for instance, the machine wasn't available until about 4 p.m. which put me getting through after 8 p.m.. In the meantime, my wife needs to drive from our home to the Hendersonville facility to Await my release, whenever that may be. It is usually after 9:00 p.m. when we arrive back home.

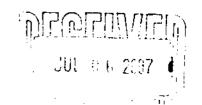
For your interest, I am 73 years of age and my wife is 68. So we are not really up for the stress And activity required for all this. The expense of driving back and forth to Hendersonville three times a week in our personal vehicle is also a hardship as we are both living on pension and Social Security.

Please give us the help we need. If you need more information, please feel free to contact me at (828) 883-5551.

Sincerely,

George Robert McCormick

Gronze Robert McCorniek



11/4. Smith:

Delige And Surf Speth + my fusband and surf surf surf patients was patients he forth to fendence on the forth to fendence on him to for fundament from the forth hundring home of snow first hundry he forth hundring home of snow first hundred was a didigor patient so of in all four of the four o

Hehicann Sit Smith

July \$ 2007

Steve Smith Director Department of Public Health Thrusylvania County

E PORTUNITO 1 July 10 2007 👬 Will street to the street of t

Dean Mr. Smith;

I understand the county will be petitioning the North Carolina State Health Coundrating Council on July 13 for the right to establish a dialysis facility in the county. That would be a wonderful thing I'm 75 and I drive 45 miles hound tup

to the Hendersonville dely's center three days

Thatie is sometimes heavy and headed
on the two-lane Route GY, I spend almost a week

1/2 hours on the road

A humber of dialysis patients and hurses and nurse-type employees 2/50 live in Turnsylenie County. Best regards Robert Voellan.
Bob Voelket Brevord N.C.



6 July 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

I write in support of the petition of the Transylvania County Health Department to establish a local Dialysis Facility.

There is an overwhelming need for such a program in Transylvania County. The number of patients needing a dialysis facility is steadily increasing as the population of the county increases. Improved access to diagnostic capability increasingly identifies a growing number of patients who would henefit from local dialysis services.

Of particular concern is the fact that mountainous terrain in Transylvania County makes travel time, especially in winter months, a significant factor. The State Medical Facilities Plan fails to consider the unique geography of North Carolina's mountainous counties and the associated travel challenges. Most of the current patients must travel in excess of 40 minutes to reach a dialysis center. A round trip doubles that time and must be endured three times each week. Add to that time spent traveling, in the best of weather and often at county expense, to the often inclement weather and it adds up to a situation that is frequently life-threatening for the vulnerable dialysis patients.

As Transylvania County becomes more and more attractive to retirees, the age demographic increasingly skews toward an older population, lnevitably many in that population cohort must seek a skilled nursing facility. The absence of a local dialysis facility means that patients needing dialysis cannot be accepted in local long-term care, rehabilitation, or skilled nursing facilities. A sad result is that such patients must be placed in out of town facilities. This in turn leads to a disruption in the family support networks often so vital to the quality of life for such patients.

If considered only on a fairness basis in comparison to other North Carolina counties, it must be noted that in flatter terrain the State Medical Facilities Plan mandates a maximum travel distance, not time, of 30 miles. Therefore, in many counties and for many North Carolinians, a trip to a dialysis center is relatively quick. Add the fact that nearly half of the current North Carolina dialysis centers operate at a patient load below the level required of Transylvania County to establish a new dialysis facility. It is clear that basic fairness alone should compel the approval of a facility here.

The Land of Waterfalls Partnership for Health has determined through its community healthcare assessment that access to care is a critical need in Transylvania County. We believe that a local dialysis center is a necessary part of insuring that our residents have the same access to care as that enjoyed by other citizens of the State. We support it enthusiastically.

Michael J. Ziegler Executive Director

230 Morgan Street Brevard, NC 28712 Medical Facilities Planning Section NC Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Letter of Support

Transylvania County Petition to establish local Dialysis Facility

Medical Facilities Planning Section.

On behalf of the Town of Rosman and the Board of Aldermen, I would like to voice our unequivocal support for Transylvania County's petition to establish a local dialysis facility. This is a tremendous need for citizens of our county and I am personally aware of individuals in our jurisdiction that have dialysis treatment needs.

The travel distances and travel time being endured by these individuals three times a week is unacceptable. The debilitating effects of end stage renal disease are exacerbated for this specific population by also having to manage long commutes. 9 of the current 25 dialysis patients travel more than 30 miles each way, 16 of the current dialysis patients travel more than 40 minutes each way. In addition to this challenge, families are being separated because loved ones can not be established in local nursing homes. Local nursing homes can not currently consider housing dialysis patients due to the tremendous burdens associated with transportation of these individuals to other counties three times a week

Transylvania County needs and deserves a local dialysis treatment facility to better serve our citizens and community. Please give every consideration to Transylvania County's petition to establish a dialysis facility.

Sincerely

Michael Owen, Mayor

Town of Rosman

cc: Board of Aldermen

Re: Letter of Support for Transylvania County - Petition to establish a local Dialysis Facility

The following points support our reason for this petition for a local dialysis facility in our county.

- The well-being of the patient in being able to have dialysis treatment near home would make a big difference in many ways. The travel time, and many, many other benefits to patients and their family members.
- 2. We have in place local Doctors and staff to operate a dialysis facility and care for the patients.

3. In that we are in a area that so many people visit, or spend their vacation etc., having a dialysis facility would be beneficial to those visiting patients.

Signed: LA

, Date:

Note Family Member of:

Steve Smith

From: Katinka Haines [kphaines@citcom.net]

Sent: Monday, July 02, 2007 10.35 PM

To: Steve Smith Subject: Fwd. Dialysis

From: Katinka Haines < kphaines@citcom.net>

Subject: Fwd: Dialysis

Date: Sat, 30 Jun 2007 23:43:46 -0400

To: steve.smith

From: Katinka Haines < kphaines@citeom.net>

Subject: Dialysis

Not only does it do my heart good to think that we may get dialysis treatment here in our wonderful county but personally, I am most eager to see it actually happen. My husband was given the bad news 2 weeks ago that that is in his near future.

Presently, Hendersonville has the closest treatment.

As he will have to go at least 3 times a week, not only is that a hardship time-wise but with the cost of gas......we are very worried.

We are most fortunate with our hospital which even has the MRI.

Please work hard for a dialysis facility.

Thank you.

Katinka P. Haines

Steve Smith

From:

Dorothy Geiser [daps@citcom.net] Sunday, July 08, 2007 11:25 AM

Sent: To:

Steve Smith

Subject:

Dialysis Support Letters

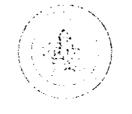
LETTER OF SUPPORT FOR TRANSYLVANIA COUNTY PETITION TO ESTABLISH LOCAL DIALYSIS FACILITY - 77 years old - dialysis patient Dorothy Geiser - 74 years old - wife of patient Phone # 884-2209

Hardships since was put on dialysis in March 2007

- 1. When emergency arose to put on dialysis, he had to be transported to Mission Hospital because local hospitals did not have dialysis centers (1 hour a day travel to see him for 12 days).
- 2. When needed a rehab stay after hospitalization he had to go to Brian Center in Hendersonville because Brevard facilities would not transport him, (1/2 hour away).
- 3. His hours on dialysis are 4:00P.M. to 8:00P.M. and Brian Center would not transport him after 5:00P.M. I had to provide transportation at \$60 a trip (which was 3 miles) to dialysis, \$180 a week. I'm glad it was only 20 days and one night they forgot him and I had to come from Brevard at 9:00 P.M. to get him back to Brian Center.
- 4. We are on a waiting list to change dialysis hours. I hope it comes through before winter and dark nights.

We receive free transportation to dialysis in Hendersonville from Transylvania Community Services which we are extremely grateful for and then I pick him up at 8:00P.M. which seems to be the only benefit there is if you are on dialysis and live in Brevard.

TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS: Jason Chappell, Chairman Kelvin Phillips, Vice Chairman W. David Guice Darryl Hogsed Lynn Bullock



COUNTY MANAGER Arthur C. Wilson, Jr 828/884-3100 FAX 828/884-3119

28 East Main Street Brevard, NC 28712 828/884-3107 FAX 828/884-3119

Transylvania County

July 9, 2007

To Whom It May Concern:

I am writing in support of Transylvania County seeking the Certificate of Need for the right to establish a dialysis center. I am currently the medical transportation coordinator for Transylvania County Transportation. Prior to this position I was the Med-Drive coordinator for Home Care at Transylvania Community Hospital. Thus, for over 13 years I have received urgent requests for dialysis transportation. As I am sure you recognize, dialysis and transportation go hand in hand for our residents; without transportation they cannot receive dialysis, and without dialysis they will lose their life.

About 5 years ago Transylvania County became blessed to be able to establish a van route for dialysis. With the van service we have been able to accommodate more clients and provide wheelchair access. However; this additional service meant that our clients have a longer travel time, and very close and cramped seating. There was also a loss of a few seats due to wheelchairs, O2 containers, and other medical apparatus that our clients need to transport due to the extended amount of time required away from their homes for dialysis.

Currently we are transporting 10 clients, and receiving new referrals on a regular basis. We are now providing 2 routes for dialysis. Frequently clients may have complications such as "bleeding out", nausea, motion sickness, and a number of other things that may cause unavoidable delays for their return trip home.

The day is very long and exhausting for these clients, not only physically draining but emotionally as well. Words cannot even begin to express the sadness one feels when a client has had such a toll taken on them by the trip that they have opted out of dialysis, speeding up their own death. We have also had families move to Henderson County just to make dialysis easier to bear physically, emotionally, and financially. When the decision of nursing home placement comes up for the client, the only option they have is in Henderson County. Our local nursing homes do not accept dialysis clients due to the distance of the dialysis center.

It is no secret that Transylvania County is becoming an increasingly aging community. Also, with people going on dialysis more frequently and often at younger ages, it only makes sense that our numbers will continue to grow. If you also take into account the residents that we are losing to Henderson County by relocation and nursing home placement, I am certain that we are well within the numbers that are needed for a dialysis center. I urge you to please award the Certificate of Need to Transylvania County. Our residents deserve easier access to health care that is truly life saving.

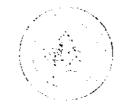
Sincerely,

Lisa McDaris

Medical Transportation Coordinator

Lia M. Darin

TRANSYLVANIA COUNTY BOARD OF COMMISSIONERS: Jason Chappell, Chairman Kelvin Phillips, Vice Chairman W. David Guice Darryl Hogsed Lynn Bullock



COUNTY MANAGER Arthur C. Wilson, Jr 828/884-3100 FAX 828/884-3119

28 East Main Street Brevard, NC 28712 828/884-3107 FAX 828/884-3119

Transylvania County

July 6, 2007

To Whom It May Concern:

I am writing in support of the dialysis patients of Transylvania County. It is my understanding that a public hearing on dialysis treatment for the citizens of the county is scheduled for July 13, 2007. At this meeting, a petition for a dialysis facility will be presented to the North Carolina State Health Coordinating Council. I ask that this request be honored.

As Transportation Coordinator for Transylvania County, I oversee services for our citizens in need of dialysis treatment. These services are focused on the transportation of patients to Hendersonville three times a week. This distance places additional health difficulties on our patients, and serves to further highlight the need for this life-saving assistance to be provided in the county.

A Dialysis facility located here will allow us to provide transportation to a larger number of clients. Presently, we are only able to provide two travel opportunities to our citizens requiring dialysis on Monday, Wednesday, and Friday. Locating a dialysis center in Transylvania would accomplish the following:

- 1. Serve our clients more efficiently;
- 2. Serve additional clients; and
- Allow us to expand our assistance to patients to include Tuesdays and Thursdays.

Many of the clients we serve in this capacity eventually become residents of nursing homes and assisted living facilities. Unfortunately, nursing homes in our county do not accept patients needing dialysis. This places an additional burden on dialysis clients in need of a nursing home's services. For this, they must locate a nursing home out of the county in which to live, which further separates them from their family and friends. A center located here would eliminate much of this growing dilemma.

Our county is experiencing a rise of both our senior citizen population and the number of residents requiring dialysis treatment. Our need is growing exponentially. I ask that a kidney dialysis treatment center be strongly encouraged and supported.

Sincerely.

Transportation Coordinator

KM: sh



To whom it May Concern;

I am writing in support of the petition initiated by Transylvania County for a local dialysis facility. I am a native of Transylvania County and have served in many roles at Transylvania Community Hospital in the past 17 years. Two roles in particular heightened my awareness for the need of local dialysis services.

During the five years I served as Hospice Manager, I worked with many patients and their families facing end stage renal disease. The patients had already made the decision to stop dialysis treatments or were in the process of making that decision. A recurring barrier for these patients to continue treatments was the extended trip out of the county for the service. Some families had the additional financial resources and community support to make the trips, but many patients relied on the transportation system offered through Transylvania County Transportation Department. The patients/families were very appreciative, but the trip, at best was difficult and in some cases could even contribute to complications related to dialysis.

I currently serve as the Manager for the Case Management Department at Transylvania Community Hospital. In this role, I have seen a different perspective to the issue. Without a local dialysis center, the dialysis patients in need of acute hospital care are transferred to either Asheville or Hendersonville, thus taking them further away from their families and community support. Dialysis patients in need of skilled nursing services are also unable to stay in Transylvania County due to transportation issues.

A dialysis center would allow more patients to receive on going health care in their local communities including physician services, inpatient and outpatient hospital services and skilled nursing services. With an aging population in Transylvania County, it is imperative that the planning process for medical/facilities service seriously evaluates the needs of the current residents and forecast appropriately for the future increase in the elderly population. It is in the best interest of our residents and our community to provide as many health care services as possible on a local level, including dialysis services.

I humbly request your support in the petition for a local dialysis facility in Transylvania County.

Sincerely,

Scotta L. Orr

Scotta L. Orr, RN, BSN, MPH
Director, Quality/Accreditation Services
Transylvania Community Hospital

July 9, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

To Whom It May Concern,

I am writing this letter in support of a new dialysis center for Transylvania County. I work for Transylvania County in the transportation department as a van driver. I have been the driver for the dialysis van several times; thus I have seen first hand the tremendous toll that the day takes on the patients. In the morning they are tired at best, and then they have the long ride to Hendersonville with several stops along the way to pick up the other passengers. They arrive at the center for the treatment, which lasts up to 5 hours and physically drains them of what little energy they had before. Following this exhausting treatment, they have to endure the 1 to 1 ½ hour drive back home to Transylvania County. To see the drastic change in the clients from the morning to the evening will break your heart.

Lurge you to please put yourself in this life saving situation, and please award Transylvania County the Certificate of Need for the dialysis center.

Sincerely,

Delora Dennis Van Driver

Transylvania County Transportation

Medical Facility Planning Section Division of Facility Scrusses Do whom it may concein : I am a former Transylvania County employee who drove the mediline/Bializis houte for nearly five years. During that time I transported many dealines patiente who, in all to to renal Hadure had a tost of other related health problems ouch as deabeter, heart disease, stroke impairment and paralexies. One patient who had to be transported in his which chair that a seizher on the way to the Denderson Alle Center and Blad to be taken to the hospital. In another Dalient the trip to! the center, from this frome was an hour and a half lone Dis treatment only lasted three and a half hours but he had to set in the labby for another two to three hours for the other patients who rode the van to finish their treatment. Then the had the one and a half hour trip back home to endure.

Typically are very weak and they. Often can be necessary to the point of vonitive as well and this was a normed occurrence on the when I had to find a place to stop the van betacese a patient needed avoitance. a three to four and a half hour treatment became an air day the or hear for these folks and they had this to look forward to the three Times a week. I dializes would make a tremendous difference for these eftremely. I support Mr. Smith in his effort to accomplish this. Sincerely, Cale

My Grandmither

yies to dialysis at a center in

Hindersonville the bus picks her up

at 9 Am menna says granding gets put

The Madhine at 10:30 and gets off at

2:30 but granding does not get

home till this or some time 5 pm

A center in Brevard would be a

blessing for my grandma.

Thankyou ISAAC Ashe

My Grandmother is a Dialysis protient We live in Brevard and she has her treatment in Hendersonville She rides a Van to and from The van Picks his up at 4:00 am. her treatment is 10:30 to 2:30 at the earliest the is home at 11:30 to the has to want 2 hrs. after her treatment to get Mome when the arrives the 15 in bad shape She has to go straight to bed and is mable to get up. Also the von does not put her yrish, Notidoys, So me with a toddler IF and it hard to make Arrangements to take her and get her picked ip. A Dialysis center in Brevail would De a blessing. It would not be so hand on his Health and I Know She would always have a way shore and home.

Thank your Hoopen

Granny (Gresto dialysis in Hindu som 1/4. needs to go to a center Brevary

Thanks Jacob Ashy

This Letter is for The Madrice A week in honder much who has in Brevard mom in pickers up but 9 Am Taken to Hend. Dalysis for 14 hours 10:30-230 mom duce mor get home tel 1130 or 5:00 pm One is trusting an kad by the time One gets how the nac to go to keed a dealyper Center in Breiard, transylvana County would be bonderial and DO helpful to my mom of pelegy of while of life if the did mot how the will be if the did mot (hast to wait so long, to get hory and then have to go to ked Hank you Hurran Danuf

End Stage Renal Disease. She has been in dealipses for 10 years the lives in Brevard and travels to Hendersmulle three days a week.

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I am disabled and causet dress More to the Hendersonwille Crie.

A center in Britisch would truly to a Hod Sind for my Mother.

Thank you.

My Mother patient Habout 10 years and Health Would in Henderson ville. Momas Health Would be a little more vital and Foll maybe if she did not have to be gone & hour, For a 4 hour treatment.

Rev. Billy Jay 115 Pastor. My Under Wood Baptist Church My Grand Mother

15 a dialysis patient. She gees

40 the Center in Henderson v. The

She is gone For Shows for a 4 hour

treatment. A Center in Brevard would
be a God Send For my Grand Mother.

Thank you Rebeccallooper

Re: Letter of Support for Transylvania County - Petition to establish a local Dialysis Facility

The following points support our reason for this petition for a local dialysis facility in our county.

- 1. The well-being of the patient in being able to have dialysis treatment near home would make a big difference in many ways. The travel time, and many, many other benefits to patients and their family members.
- 2. We have in place local Doctors and staff to operate a dialysis facility and care for the patients.
- 3. In that we are in a area that so many people visit, or spend their vacation etc., having a dialysis facility would be beneficial to those visiting patients.

Heaple, Date: 01-09-09

Re: Letter of Support for Transylvania County - Petition to establish a local Dialysis Facility

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Roterra H. Neven, Date: 7-8-07

Note: Friend J

Re: Letter of Support for Transylvania County ~ Petition to establish a local Dialysis Facility

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Signed: Bascon To Hospan, Date: 7-9-07

Note: Family Members

I am a dialysis patient and i cont even begin to explain now grateful it would be to have a dialysis center in

broward.

You see iset for close to 3 to 5 hours maybe more and when iget on the bus all the fluid they romoved from my weak body it makes me tired and sick so the 45 min to an hour ride back dos not make it any easier. When i get home i have no time left to spend with my lovely family or do

what i would like to do.

A dialysis center here in brevard would be a convence to i and others and cuts the time out from such a long ride

Thankyou Bussel

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Thankyou



June 28, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

RE: LETTER OF SUPPORT FOR TRANSYLVANIA COUNTY - PETITION TO ESTABLISH LOCAL DIALYSIS FACILITY

To The North Carolina State Health Coordinating Council:

On behalf of the community that we serve, the Board and Medical Staff of **Transylvania Community Hospital** strongly endorses and supports the petition for Transylvania County to qualify for Certificate of Need for an **End-Stage Renal Disease Dialysis Facility**. Transylvania County currently has 25 patients that are seeking dialysis outside of this community. This number has steadily increased from a low count of 19 in 2003. The county is experiencing a significant population boom, primarily of older retirees. Currently there are cleven new developments involving at least 3,171 dwelling units approved by our County Planning Board.

In addition the following points support our county's basis to position for a local dialysis treatment facility:

- 6 of the current 25 patients from Transylvania County are traveling more than 30 miles each
 way to a dialysis facility (30 miles is listed as the preferred maximum traveling distance for a
 dialysis patient). 1 patient travels more than 65 miles each way (a number of patients have
 to endure this commute three times a week).
- 16 of the current 25 patients from Transylvania County are traveling more than 40 minutes (each way) to a dialysis facility (a preferred maximum travel time is not listed in the State Medical Facility—we believe that approach fails to consider the unique geography of mountainous counties an associated travel challenges).
- Local nursing home facilities are not able to consider dialysis patients at this time due to the
 enormous burden of transporting patients to and out of county facilities—this separates
 families and creates barriers for other families that would like to relocate loved ones to local
 nursing homes. If there were such a facility, the population that requires a nursing home
 level of care, Transylvania County could easily meet the minimum requirements of 32
 patients.
- Inclement (snow, ice, floods) in Transylvania County has created life threatening situations for our dialysis patients due to restricted travel.
- Transylvania County's patients have been served by facilities in Asheville and/or Hendersonville, and these facilities have used our county's demonstrated need to expand their facilities. From a geographical aecess perspective, there are portions of Henderson County such as Mills River, Horseshoe, Etowah and Crab Creek, where travel is easier to a Brevard location than it is to a location in Hendersonville and/or Asheville. Due to this consideration of that additional population and ease of access, this also supports our county's ability to easily meet the 32 patient requirement.

We thank you for your consideration of this and encourage you to include and establish the need for Transylvania County for an End-Stage Renal Disease Dialysis Facility.

Sincerely,

Robert J. Bednarek
President/CEO

Dana Christianson, MD Chairman, Board of Trustee

Barry Bodie, MD Chief of Staff



July 10, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

RE: LETTER OF SUPPORT
TRANSYLVANIA COUNTY - PETITION TO ESTABLISH LOCAL DIALYSIS FACILITY

To The North Carolina State Health Coordinating Council:

As the Planning and Economic Development Director for Transylvania County, I strongly support Transylvania County's petition to qualify for Certificate of Need for an End-Stage Renal Disease Dialysis Facility.

Transylvania County currently has 25 patients that require dialysis treatment, but must travel to another county to receive the care they require. As I understand, the number of patients has increased steadily over the last several years. Further, Transylvania County is experiencing a significant population growth, primarily of older retirees. The Planning Department and Planning Board have permitted or are aware of the potential for over 3,100 new dwelling units that may be built in the next five to six years. Some of these individuals will require dialysis treatment.

In addition the following points support our county's basis to position for a local dialysis treatment facility:

- 6 of the current 25 patients from Transylvania County are traveling more than 30 miles each way to a dialysis facility (30 miles is listed as the preferred maximum traveling distance for a dialysis patient). I patient travels more than 65 miles each way (a number of patients have to endure this commute three times a week).
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I encourage you to support Transylvania County's efforts to qualify for a Certificate of Need for an **End-Stage Renal Disease Dialysis Facility**.

Sincerery,
Mark R. Burrows Director



June 28, 2007

DFS HEAlth Planning RECEIVED

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714 111 2007

Medical Facilities
Planning Section

RE: LETTER OF SUPPORT FOR TRANSYLVANIA COUNTY – PETITION TO ESTABLISH LOCAL DIALYSIS FACILITY

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We thank you for your consideration of this and encourage you to include and establish the need for Transylvania County for an End-Stage Renal Disease Dialysis Facility.

Sincerely,

Robert J. Bednarek

President/CEO

Dana Christianson, MD

Chairman, Board of Trustee

Barry Bodie, MD Chief of Staff



North Carolina General Assembly Senate

SENATOR JOHN J. SNOW. JR

SOTH DISTRICT

2111 LEGISLATIVE BUILDING OFFICE

16 W JONES STREET

RALEIGH, NC 27601-2808

PHONE

919-733-7875 .919: 754:3348 FAX

johnsn@ncleg net

DISTRICT CHEROKEE JACKSON

MACON CLAY

SWAIN GRAHAM HAYWODD TRANSYLYANIA

July 11, 2907

Dr. Dan Myers Chairman Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

RE: Transvivania County Dialysis Facility

Dear Dr. Myers.

I am writing you a letter in support of Transisly ania County's petition for an End-State Renal Disease Dialysis Facility. In order to best help the citizens of North Carolina, I believe it is imperative that Transvlyania County's petition should be approved. I further believe the stipulations placed upon Transylvania County go beyond reasonable.

As of the beginning of the year, only 78 of 149 certified facilities were operating at or above 80% utilization. I do not think it is fair to require Transylvania County to operate at a level of utilization that surpasses 48% of the certified facilities.

After looking at the figures, I have also noticed that many patients who would be served by this facility are traveling either close to or above at hour each way. This is an unfair builden on the rural at risk populations in North Carolina. As of April of this year, 24%

COMMITTEES

CO CHAIR

APPROPRIATIONS ON JUSTICE AND PUBLIC SAFETY

MEMBER

AGRICULTURE/ENVIRONMENT, NATURAL RESOURCES

APPROPRIATIONS/BASE BUDGET

EDUCATION PUBLIC INSTRUCTION

JUDICIARY ILICRIMINALI

MENTAL HEALTH/YOUTH SERVICES

TRANSPORTATION

JOINT SELECT COMMITTEE ON EMERGENCY PREPAREDNESS

AND DISASTER MANAGEMENT RECOVERY

DFS Health Planning RECEIVED

JUL 13 2007

Medical Facilities Planning Section



of the patients of the SE Kidney Council Inc. were traveling more than 30 miles for treatment with many traveling over an hour one way.

Likewise because of the areas vulnerability to extreme weather and terrain, many of these patients would be placed in a perilous situation in the event that travel is suspended for any period of time. If approved, this facility would reduce much of the life threatening ramifications the weather and terrain present. We must do more for the rural citizens of North Carolina.

Please support Transylvania County's petition for an End-State Renal Disease Dialysis Facility. I thank you for your time on this matter.

Sincerely.

Sen. John J. Snow, Jr.



Alsheville PH July 13, 2007 3 person Comment

Transylvania County Petition for Adjustment to Need Determination - Proposed 2008 State Medical Facilities Plan -

July 13, 2007 Public Hearing - Proposed 2008 State Medical Facilities Plan Mountain Area Health Education Center (MAHEC) 501 Biltmore Avenue Asheville, NC

DFS Health Planning RECEIVED

JUL 13 2007

Medical Facilities Planning Section

Comments from Transylvania County Delegation:

Mr. Steve Smith, Director - Transylvania County Department of Public Health

Mr. Robert J. Bednarek, President & CEO - Transylvania Community Hospital Mr. Arthur C. Wilson, Jr., County Manager - Transylvania County

On behalf of Transylvania County, I'd like to thank the panel assembled here today for the opportunity to speak about our petition to adjust the current need determination for new dialysis stations. It's important that I acknowledge the presence of two gentlemen that have accompanied me today - Mr. Bednarek, President and CEO of Transylvania Community Hospital and Mr. Wilson, County Manager for Transylvania County. Their presence here today attests to the importance of this issue for our community.

Our petition (which we are prepared to submit today) outlines a comprehensive argument which identifies several inadequacies and inequities regarding the current need determination methodology and its application to Transylvania County. The petition includes a multitude of letters of support from past and current dialysis patients, community leaders and local government entities including the Town of Rosman, and Transylvania County. NC House of Representatives member Trudi Walend, NC Senator John Snow and United States House of Representatives member Heath Shuler have also endorsed our petition.

We are here today not because we believe we have a strong argument for establishment of a local dialysis facility. We're here today because we believe we have a definitive case. Accordingly, I'd like to outline several key components of our petition. I will also relate these key components to the basic principles underlying the projection of need for additional dialysis stations as specified in Chapter 14 of the Proposed 2008 State Medical Facilities Plan.

Basic principle: New facilities must have a projected need for at least 10 stations

The current need determination places an inordinate amount of focus on achieving a projected need of 10 dialysis stations. In order to achieve that level of need, jurisdictions must generate a projection of 32 in-center dialysis patients. We understand the cost efficiency basis for this threshold.

The validity of this standard, however, is brought into question if you consider that 48% (71 of 149) of the certified dialysis facilities in North Carolina are operating below the minimum 3.2 patients per station threshold (80% utilization rate). Requiring Transylvania County to achieve a projected need which exceeds the current utilization rate for approximately half of the state's existing facilities is not equitable.

2. Basic principle: End-stage renal disease treatment should be provided in North Carolina such that patients who require renal dialysis are able to be served in a facility no farther than 30 miles from the patient's home. (2 conflicts)

1st conflict

Based on an April 11, 2007 report from the Southeastern Kidney Council, Inc. (which defined 25 in-center patients as opposed to the 21 listed in the July 2007 North Carolina Semiannual Dialysis Report), 6 of 25 patients (24%) were traveling more than 30 miles to a facility. The mileage range for these 6 patients is 31.1 miles to 65.3. The average mileage for all 25 patients is 26.34 miles.

2nd conflict

Limiting the measure of access to a mileage basis is prejudicial toward western North Carolina counties because it fails to recognize unique travel challenges in mountainous regions. Our assertion is that 40 minutes of travel time should be a paired measure of access with travel distance. That assertion is based upon the belief that 30 miles of travel in the piedmont or coastal areas of the state would not typically take more than 40 minutes.

Based on the same Southeastern Kidney Council, Inc. report, 16 of 25 patients (64%) were traveling more than 40 minutes to a facility. The travel time range for these patients is 40 minutes to 107 minutes. The average travel time for all patients is 50.36 minutes.

In addition to these access challenges, severe weather conditions (snow, ice & flooding) in the mountains can create and have created life threatening situations for our local dialysis patients.

Basic principle: Services in rural, remote areas NCGS 131E-175 (Certificate of Need Law)

(a concern that if left to the market place "... geographical maldistribution of these facilities and services would occur...")

According to your report, the July 2007 North Carolina Semiannual Dialysis Report, every county surrounding Transylvania County has a dialysis facility or facilities and the combined projected station surplus equals 36 stations for those counties. It defies logic that Transylvania County is surrounded by surplus stations and is being prevented from establishing its own dialysis facility.

It is imperative that you understand the big picture here. If you don't remember another thing that was said here today remember this............we maintain that there are sufficient dialysis treatment resources in the 5 county region just mentioned.....Jackson, Haywood, Buncombe, Henderson and Transylvania. They are just in the wrong place. Establishing a dialysis facility in Transylvania County not only addresses our needs, it creates a more appropriate and more equitable distribution of dialysis treatment resources for the whole 5 county region. This petition is about what's best for everyone....not just Transylvania County and that ladies and gentlemen is what this whole process is supposed to be about.

Thank you for your consideration of our petition. We trust you will find that our compelling case of need warrants an adjustment to the need determination for a dialysis facility in Transylvania County so that we may proceed with a Certificate of Need application in the immediate future.

I would now like to yield any remaining time we may have to Mr. Bednarek or Mr. Wilson if they'd like to make any closing remarks.

1179 DISTRICT, NORTH CAROLINA

511 Carry N. H. (18 1256) (18 1276) (18 1276) (18 1276) (19 1276) (18 1276) (19 1276)

35.6 Bij ngo wil Aural (n. 56.09.403) Albario, P. N.C. 28801 Mikinio 878-1551 1653 Fax: 878-752 18734



Congress of the United States

House of Representatives Washington, OC 20515—3311

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

SIE BOOTTEE IN

DEPUTY AT LARGE WHIP

Sole interest of the control of the

COMMITTEE ON NATURAL RESOURCES

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COMMITTEE ON SMALL BUSINESS

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Medical Facilities Planning Section

July 12, 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC, 27699-2714

To Whom It May Concern:

I am writing to express my support for Transylvania County's petition to establish a local dialysis facility.

The petition cites a number of compelling reasons why a new facility is needed in the county. Of the county's 25 current dialysis patients, many are required to travel over 30 nules and one patient over 65 nules each way, three times per week. This creates a significant burden of time and cost for these patients and their families. The mountainous terrain and associated inclement weather can also limit a patient's ability to travel and obtain necessary treatment.

Perhaps most importantly, the county's local nursing home facilities are unable to accept dialysis patients because of the lack of a local facility. Families are therefore forced to relocate loved ones to nursing homes far from home and closer to dialysis facilities. A local facility would greatly reduce these various risks and burdens, while reflecting a higher and more accurate number of Transylvania patients in need of such a facility.

Lask that you give this petition your most thoughtful and serious consideration. If you need additional information, please contact Tom Jones in my district office at 828-252-1651 extension 15.

Thank you very much for your time and attention to this matter. Please do not hesitate to contact me if I may be of assistance as you make your determinations.

Sincerely,

Heath Shuler

Member of Congress

11th District, North Carolina

BOARD OF COMMISSIONERS

Taxin Chappell, Charman Reixin Phillips Aice Charman W. David Guice Daryle Higsed Lynn Bullock



Asheville PH July 13,2007

Transylvania County

DFS HEALTH PLANNING RECEIVED

June 27, 2007

九上 13 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Medical Facilities
Planning Section

Ref: Letter of Support for Transylvania County-Petition to establish Local Dialysis Facility

Dear Sirs:

As Chairman of the Board of Commissioners of Transylvania County I hereby request that you consider allowing a local dialysis treatment facility to be located in Transylvania County. Currently six of the twenty five patients from Transylvania County are traveling more than thirty miles each way to a dialysis facility. Thirty miles is listed as the preferred maximum traveling distance for dialysis patients in the State Medical Facilities Plan. One patient travels more than sixty fives miles each way. These trips are made by these patients three times a week. Sixteen of the twenty five patients from Transylvania County are traveling more than forty minutes each way to a dialysis facility. Considering the geography of our county where one can go from a level of 2,350 feet to a height of 6,000 feet presents serious challenges to our residents to get to the nearest dialysis facility in an adequate time frame especially during inclement weather such as snow, ice and floods.

Local nursing home facilities are not able to consider dialysis patients at this time due to the enormous burden of transporting patients to out of county facilities. This separates families and creates barriers for other families that want to relocate loved ones to local nursing homes. As of June 30, 2006, only 52% of certified facilities in North Carolina were operating at or above 80% utilization. This means that 48% of the certified facilities operating in NC are functioning below the level required of us to establish a new dialysis facility in our county.

Transylvania County continues to be rated as one of the hot spots for retirement in the United States. With an aging community we need to have a dialysis facility located in our county.

Sincerely.

Jason R. Chappell, Chairman Board of County Commissioners Cc: Members, Board of Commissioners

County Manager Health Director

File

BOARD OF COMMISSIOSERS lastics lappell Chairman Kelson Philips, Vice Chairman W. David Guice David Hogsed

Hern Bullock



COUNTY MANAGER Arthur (- Wilson Ir 828-884-31 pt 1ax 828-884-31 pt 828-884-31 pt 21 Fast Main Street Brevard, SC 28212

Transylvania County

DFS HEALTH PLANNING RECEIVED

June 29, 2007

JUL 13 2007

Medical Facilities Planning Section Division of Facility Services 2714 Mail Service Center Raleigh, NC 27699-2714

Medical Facilities Planning Section

Ref: Letter of Support for Transylvania County-Petition to establish Local Dialysis Facility

Dear Sirs:

As the County Manager of Transylvania County I hereby request that you consider allowing a local dialysis treatment facility to be located in Transylvania County. Currently six of the twenty five patients from Transylvania County are traveling more than thirty miles each way to a dialysis facility. Thirty miles is listed as the preferred maximum traveling distance for dialysis patients in the State Medical Facilities Plan. One patient travels more than sixty fives miles each way. These trips are made by these patients three times a week. Sixteen of the twenty five patients from Transylvania County are traveling more than forty minutes each way to a dialysis facility, that is, if it is a good weather day. Being located in the mountains presents problems with snow, ice, and floods since we are on the headwaters of the French Broad River.

Local nursing home facilities are not able to consider dialysis patients at this time due to the enormous burden of transporting patients to out of county facilities. This separates families and creates barriers for other families that want to relocate loved ones to local nursing homes. As of Jane 30, 2006, only 52% of certified facilities in North Carolina were operating at or above 80% utilization. This means that 48% of the certified facilities operating in NC are functioning below the level required of us to establish a new dialysis facility in our county.

Transylvania County continues to be rated as one of the best locations for retirement in the United States. With an aging community we need to have a dialysis facility located in our county.

Sincerely,

Arthur C. Wilson, Jr. County Manager

Cc: Health Director



September 4, 2007

State Medical Facilities Planning Section
Attn: Ms. Victoria McClanahan
Division of Health Service Regulation
North Carolina Department of Human Resources
701 Barbour Drive
Raleigh, NC 27603

Re: Transylvania County Petition for Adjustment to Need Determination, Proposed 2008 State Medical Facilities Plan

Dear Ms. McClanahan:

Fresenius Medical Care, d·b/a Bio-Medical Applications of North Carolina eagerly supports the above noted petition for an adjusted need determination to establish an end-stage renal disease dialysis facility in Transylvania County. The petitioner clearly identifies one of the primary issues for dialysis patients across the state:

"Extreme travel distances, extreme travel times, segregation of families and the associated hardships placed on patients and their families highlight a dire situation."

There is precedence for an adjusted need determination:

The State Health Coordinating Council has responded favorably to such petitions in the recent past. For example, consider the following:

- a. The SHCC established an adjusted need for McDowell County in the 2004 State Medical Facilities Health Plan, allowing for development of a nine station dialysis facility.
- b. The SHCC established an adjusted need determination for the combined Cherokee, Clay and Graham County service area in the 2005 SMFP. This allowed development of a 10 station dialysis facility.
- c. The SHCC again established an adjusted need determination for the combined Avery, Mitchell, and Yancey County service area in the 2006 SMFP. This allowed development of a nine stations dialysis facility.

3867 Dunn Road Fayetteville, NC 28312 Phone: 910-433-2053 FAX: 910-323-4942 BMA urges the SHCC to consider approval of this petition, and approve an adjusted need determination for an eight (8) station dialysis facility in Transylvania Count. BMA offers the following discussion to support the need for an eight station facility.

The Transvivania County ESRD population will continue to increase:

The July 2007 Semiannual Dialysis Report indicates that the Transylvania Five Year Average Annual Change Rate for the dialysis population is 3.0%. If the growth materializes as the SDR projects, (24.7 patients) for December 31, 2007, that Five Year Average Annual Change Rate would more than double to 7.1%. The following calculations will demonstrate this change.

Census Dates	10/51/2002	#12/81/2003	12/31/2004	112/31/2005	2/31/2006	Projecieds 12/21/2007
Census	22	19	22	21	24	24.7
Raw Change		-3	3	- 1	3	0.7
% Change		-13.64%	15.79%	-4.55%	14.29%	2.92%
Five Year		:				
Average					2.97%	7.11%
Annual	!	 			2.9776	7.1170
Change	<u>.</u>					<u> </u>

In as much as patients are not fractional numbers, BMA has evaluated the growth by rounding the projected census for December 31, 2007 both up the next whole number, 25, and by rounding down to 24.

Consider the effects of rounding up to 25 projected patients at December 31, 2007:

		F F.			· · · · · · · · · · · · · · · · · · ·	
Census Date	12/31/2002	12/3 H2003#	112/31/2004	12/31/2005	12/31/2006	Projected, . 12/31/2007
Census	22	19	22	21	24	25
Raw Change		-3	3	-1	3	1
% Change		-13.64%	15.79%	-4.55%	14.29%	4.17%
Five Year				[
Average	:				2.97%	7.42%
Annual					2.9170	7.4270
Change	i					

In this case the growth climbs to a Five Year Average Annual Change Rate of 7.42%

Alternatively, in a worst case scenario, consider the growth if the projected census for December 31, 2007 were rounded down to 24 patients:

Census Date	12/31/2002	12/31/2003.	12/31/2004	12/31/2005	12/31/2006	Projected, 12/31/2007
Census	22	19	22	21	24	24
Raw Change		-3	3	-1	3	0
% Change		-13.64%	15.79%	-4.55%	14.29%	0.00%
Five Year	i !		,	i		
Average Annual					2.97%	6.38%
Change						

The significance here is that with a demonstrated zero growth year 2006 over year 2005, the Five Year Average Annual Change Rate will double the current rate of 3.0% as published within the July 2007 SDR

BMA recommends an Adjusted Need Determination for an Eight Station Dialysis Facility:

BMA recommends that the SHCC approve this petition and establish an adjusted need determination for an eight station dialysis facility in Transylvania County. The growing population of this county warrants an eight station dialysis facility.

- Practically speaking, if the SHCC approves this petition, the adjusted need would likely be published in the 2008 SMFP and the January 2008 SDR.
- Presumably Certificate of Need Applications would be filed March 15, 2008.
- Based upon recent CON applications in a competitive review, the CON Agency will conduct a Public Hearing, and establish a 150 day review period for the applications which may be received.
- Following the decision, and assuming no appeal is filed by an aggrieved party, the Certificate of Need would be issued no less than 30 days following the decision date.
- Thus, the actual certificate is not likely to be issued until early October 2008.
- Assuming an aggressive development for a facility, with minimal weather delays, it is reasonable to conclude that a new dialysis facility could conceivably open by June 30, 2009.
- Throughout this time, 21 months from the date of this letter, the ESRD population of Transylvania continues to grow at the published Five Year Average Annual Change Rate, 3.0%. As the next table demonstrates, the census on June 30, 2009 is likely to be 25.8 patients, rounded to 26 patients.

Census Date	12/31/2006	12/31/2007	12/31/2008	6/30/2009
Transylvania		\		
ESRD	24	24.7	25.5	25.8
Population	<u>.</u>	<u> </u>	1 1	<u> </u>

The CON agency generally calculates station utilization based a utilization ratio of 3.2 patients per station. A patient population of 25 dialysis patients would then require 7.8, or 8 dialysis stations.

Each dialysis station can typically provide treatment to four dialysis patients per week, (two shifts per day, morning and afternoon, using two three-day shift schedules, Monday – Wednesday-Friday, or Tuesday-Thursday-Saturday); as a result, eight dialysis stations could reasonably serve 32 dialysis patients. Thus, an eight station facility does allow for continued growth of the dialysis population.

Summary:

BMA is clearly aware of the need to bring dialysis as close to the patient residence as possible. The dialysis patient population of Transylvania County has a need for an eight station dialysis facility. BMA strongly supports the petitioner and urges the SHCC to adopt this adjusted need determination for the 2008 SMFP.

If you have any questions, or I can be of further assistance, please contact me at 910-433-2053.

Sincerely,

Jim Swann Regional Director of Health Planning

Cc: Steven E. Smith, Director - Transylvania County Department of Public Health